views regarding taking justice to the door-steps. And if he agrees, there will be no difficulty in amending any law because ultimately law is there to serve the country and the people.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Mr. Chairman, Sir, this is not a question of either sentiments or emotions. It is a question of quality of justice. And it is regrettable that today the longest delay of ten years is in the highest court of the land, that is the Supreme Court. We have today a strength of 18. We have a Bill pending before us to raise it to 25...

SHRI H. R. BHARDWAJ: 26.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Yes, 26. With all that, how many Benches will it be possible to have or how many Judges will you accommodate on these Benches within these 26 so that these ten years will come at least to a reasonable period of five years? It is not a question of merely taking the justice to the door-step but keeping the quality which becomes the law of the land under article 141.

SHRI H. R. BHARDWAJ: Sir, the question of raising the strength of the Supreme Court was taken up by the Chief Justice Shri Chandrachud with the then Law Minister, and the analysis given was that out of 26, one Bench will be a Constitution Bench comprising of five Judges, another Bench for labour and service matters comprising of three Judges, another Bench for tax matters and excise and customs comprising of three Judges, two Benches of three Judges each for civil cases and election appeals—that comes to six Judges—another Bench for criminal cases comprising of three Judges, and another two Benches of three Judges each, *i.e.* six Judges, for only admission matters. So, the total comes to 26. And that is why, to implement this view of the Chief Justice of India, we had introduced the Bill in the Parliament. That has been passed in the Lok Sabha and that is a matter for consideration shortly before the Rajya Sabha also. So, this is the step taken in view of the direction of the Chief Justice of India. So far as the quality of Justice is concerned, Sir, I need not comment because the quality of justice remains the same because the judgments of the Supreme Court are even now of the same quality.

MR. CHAIRMAN: Question No. 282.

Import contents to Dexamethasone

*282. SHRI RAJNI RANJAN SAHU:
DR. JOSEPH LEON D'SOUZA:†

Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that import contents for the production of Dexamethasone and its salts by M/s. Marck Sharp & Dhome, are more than 80 per cent;

(b) if so, what were the import contents indicated by this company while submitting the data to the High Level Committee; and

(c) what is the present landed cost of import per kg. of Dexamethasone and its salts along with the price fixed by Government and their selling price of each per kg.?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) According to the information available, the import content in Dexamethasone pure produced by M/s. Merind (formerly M|s Merck Sharp & Dhome) is about 70 per cent of the c.i.f. price of Dexamethasone.

(b) According to the information furnished by the Company to the High Level Committee, in 1977-78, the import content in Dexamethasone pure produced by M/s. Merind was about 80-99 per cent of the c.i.f. price of Dexamethasone.

†The question was actually asked on the Floor of the House by Dr. Joseph Leon D'Souza.

(c) As per information available during 1983-84, the c.i.f. value of Dexamethasone and its salts was Rs. 34.19 per gram, and that of Dexamethasone Sodium Phosphate Rs. 31.55 per gram. Details of the prices are as follows:

Name of the drug	Price declared by the Company under DPCO 1979 and in vogue (Rs./gm)	Price as fixed under DPCO 1979 (Rs./gm)
Dexamethasone Pure	92·62	51·30
Dexamethasone 21-Phosphate	195·37	55·10

The prices fixed under the DPCO, 1979 were set aside by the Delhi High Court. A special leave petition filed against this judgement is under the consideration of the Supreme Court.

DR. JOSEPH LEON D'SOUZA: Mr. Chairman, Sir, in answer to Unstarred Question No. 112, the Government has admitted that the high level committee classified the manufacture of Dexamethasone by M/s. Merck Sharp & Dhome from the penultimate P.D. 17 as a process involving high technology. Will the Minister be kind enough to furnish the following information (a) Whether the Committee physically verified the process involved or merely relied on the data furnished by the Company? (b) If the latter be the case, was it not imperative for the Committee to thoroughly satisfy itself by an 'on the spot inspection', before classifying the process involved as 'High Technology'? (c) What was the specific criteria, among the 12 criteria mentioned to adjudge the process deployed as 'High Technology'?

SHRI VASANT SATHE: Sir, ...

SOME HON. MEMBERS: We are getting a new Minister. (*Interruptions*).

SHRI VASANT SATHE: Sir, I am replying on behalf of my colleague, Shri Narayan Datt Tiwari, and I am glad to do so that I can satisfy Dr. Leon D'Souza, our hon. Member, once again. Sir, as the hon. Member will recall, this Committee consisted of eminent men in the field of Science and Technology particularly dealing with drugs and it was for the Committee to satisfy itself of whatever means and methods they thought best. Therefore, we cannot tell them, did you go on the spot, did you examine this equipment, did you examine that room? All this cannot be done. Sir, this is for the members of the Committee, having satisfied themselves, they gave the report and we went on the basis of their report. Sir, again I would like to tell my hon. friend, as I said before in this House on this very matter, that this question of high and low technology is really redundant. What is high today, the moment it becomes available and known, it becomes slow to work. So, what is really material is "available and essential". If a technology is essential for the benefit of our people and if it is not available, we must try to get it and adopt it. If it is not essential, howsoever high it may be, it is irrelevant and that is the consideration that has prevailed in this production of Dexamethasone in the country and other drugs based on that.

DR. JOSEPH LEON D'SOUZA: Mr. Chairman, Sir, I seek your protection. I asked a specific question and I require a specific answer.

MR. CHAIRMAN: Yes, yes. It has been roughly answered. Now, put your second supplementary.

DR. JOSEPH LEON D'SOUZA: Will the Minister be kind enough to confirm not answer. (a) Whether it is a fact, that in India Dexamethasone is not manufactured from the basic stage because it involves a high technology process, not available in the country? (b) Whether it

is not a fact that Merck, Sharp and Dhome manufactured Dexamethasone in other countries from the basic stage? (c) Why then has the company been permitted to manufacture the bulk-drug from penultimate...

MR. CHAIRMAN: Mr. Bhandare, you are too handsome, do not show your back...

DR. JOSEPH LEON D'SOUZA: ... and not from the basic stage, which is in contravention of the existing drug policy? (d) Is this not a wanton exploitation of the consumers in India?

SHRI VASANT SATHE: It is not because they are manufacturing it not from the penultimate stage. It is three stages above. And, therefore, in terms of the Drugs Policy they are doing it not from the penultimate but from a higher stage and as it cannot be done within the country, we have allowed it to be done from that stage.

DR. JOSEPH LEON D'SOUZA: Sir, they possess all the technology and they are producing all over the world, why not in India?

SHRI VASANT SATHE: Well, somebody else can do it in India.

SHRI VISHVAJIT PRITHVIJIT SINGH: Mr. Chairman, Sir, I will not go into the ramifications of high technology, low technology and all these various things. I would like to mention here that I have gone through the statement and I find in the statement that it is quite clear that price fixed by DPO in 1979 is Rs 51.30 and Rs. 55.10; the price declared by the company for which they have got stay order from the court — As you know, these multinationals are going to courts and taking stay order for various reasons—is Rs. 92.62 and Rs. 195.37 as opposed to Rs. 55.10, and this is the price per gram, not per kilo, not per ton, but per gram. They are making huge profits and they are exploiting the world; they are exploiting our country and we are not doing anything about it. I would like to know from the hon. Minister as to when you are going to stop this exploitation. One of the main reasons for this exploitation is the fact that we allow them to import all sorts of intermediary drugs and they are allowed to import it because of lacuna in our revenue policy. Our revenue policy is not in consonance with our drug policy because of lack of monitoring by the Department of Chemicals. I would like to know from the hon. Minister whether the Department of Chemicals is going to take up all these matters with the Ministry of Finance to see that the revenue policy comes into line with the drug policy and we do not allow this kind of huge profits to be made. They are making huge profits and like smugglers they are selling it in the black market with full permission of the Government.

SHRI SURESH KALMADI: We agree, this Government is for the manufacturers.

MR. CHAIRMAN: Mr. Kalmadi, it is irrelevant.

SHRI VASANT SATHE: I deny strongly that the Government is any way protecting any policy of exploitation by any one, whether national or multinational, FERA or ex-FERA or anyone else. Our policy is very clear. As has been stated by the hon. Member, the price that was fixed by DPCO has been stayed by the High Court. The matter is now in the Supreme Court. It is *sub judice*. Therefore, definitely, you cannot blame the Government for any matter that is under the protection of the highest court of the land. As far as we are concerned, what could we do best to protect the interests of the people. We could allow other manufacturers to manufacture this drug from basic, and from penultimate stage. They could even import B-17. We are allowing import of even Dexamethasone complete, and that is being imported to the tune of approximately 260 to 360 Kgs, more than what is being produced. How have we allowed these so-called multinational exploiters? The maximum capacity is 120...

SHRI VISHVAJIT PRITHVIJIT SINGH: 120 what.

SHRI VASANT SATHE: 120 Kgs. Don't shout. But then we have allowed

Cadilla—an Indian company — 400Kgs. Should I say it loudly.

MR. CHAIRMAN: Say it loudly.

SHRI VASANT SATHE: We have allowed Lupin 400 Kgs.—three times more than this multinational. We have allowed Tamil Nadu Dada 110 Kgs. Now if they do not start producing and if. . . (*Interruptions*). It is really funny, Sir.

MR. CHAIRMAN: Mr. Minister, you should see me and speak. You are seeing them directly; that is why you get into trouble.

SHRI VASANT SATHE: I see them and speak through you. Now, the only way to fulfil the requirement of the people for this useful drug is to produce more and produce it through our own national companies. We have allowed them full facility; they could do it from the basic stage. They can do it even from the penultimate stage. Now, what is the other way that we can protect the interests of the people if all the time we are going to take satisfaction in a sort of, attacking like Don Quixote against the wind mill? This will not serve the purpose.

SHRIMATI MAIMOONA SULTAN: Sir, it is quite refreshing to hear the hon. Minister after such a long time. After all, he has been a member of the Hathi Committee also. There is a touch of poetic eloquence in his answer. Therefore, that could not be strictly to the mark. In any case, may I know whether it is correct that the international price of the bulk drug, dexamethasone 21 Phosphate is around Rs. 32,000 per kg? This has been stated in reply to Starred? Question No. 112. Now, may I also know that the company got the price fixed by the Government for the formulation at Rs. 93,000 per kg.? Now, in view of the fact that this company is importing, from the penultimate or intermediate stage, whatever it is, this drug at Rs. 27,000 per kg. only, just to save Rs. 5,000, you are permitting the manufacturer a huge margin of nearly Rs. 63,000 per kg. Why it is so? This has been going on for the last fifteen-twenty years. Now, the hon. Minister must be in a position to answer this question. If he can answer the question, many burdens would be lifted.

SHRI VASANT SATHE: Sir, the fact is, as far as this price matter is concerned, it is *sub judice*. We really do not have control.

DR. JOSEPH LEON D' SOUZA: Prior to it becoming *sub judice*, what were you doing?

SHRI VASANT SATHE: We had fixed at 51.

MR. CHAIRMAN: Do not answer interruptions please. Answer only the main question.

SHRI VASANT SATHE: Interruptions also will go on record.

MR CHAIRMAN: This will mislead you.

SHRI VASANT SATHE: This will go on record. That is why, I must counter that. Otherwise, it will be misleading. May I say that even Cadilla is charging Rs. 2.79 for ten tablets of Dekadron, which is Cadilla's whereas the price of Dexona tablet of M/s Merind is Rs. 2.47 for ten tablets. Why are they charging higher if they are also getting the imported material basic drug, Dexamethasone, at the price fixed, as was contended? Therefore, we have no control on the price.

SHRI N. K. P. SALVE: Indian commany is charging higher.

SHRI VASANT SATHE: Yes, Indian company is charging higher.

MR. CHAIRMAN: Next question.

भोपाल में यूनियन कार्बाइड कारखाना

*283 **श्री प्यारेलाल खंडेलवाल** : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भोपाल में यूनियन कार्बाइड में खतरनाक रसा-